IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 8475 of 2007(H)

PETITIONER:

K.V.KUMAR, T.C.55/218, "KRISHNA",
KAIMANAM, THIRUVANANTHAPURAM.

BY ADV. SRI.M.BALAGOVINDAN
SRI.M.R.SASITH

RESPONDENTS:
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1. REGISTRAR OF CO-OPERATIVE SOCIETIES,
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM.

2. KERALA STATE CO-OPERATIVE BANK
REPRESENTED BY ITS MANAGING DIRECTOR,
HEAD OFFICE, EAST FORT, THIRUVANANTHAPURAM.

3. KERALA STATE MANAGER CO-OPERATIVE
BANK LTD., KARAMANA BRANCH,
THIRUVANANTHAPURAM-2.

BY ADV. SRI.NAGARAJ NARAYANAN,SC,K.S.CO-OP BANK

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE NOTICE ISSUED BY THE THIRD RESPONDENT ON 31-01-2007**
EXT.P2	**TRUE COPY OF THE CIRCULAR ISSUED BY THE FIRST RESPONDENT ON 30-11-2006**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(C).No. 8475 OF 2007

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Dated this the 15th day of June, 2007

JUDGMENT

Petitioner availed a loan which he could not repay. He seeks a direction not to proceed against the petitioner's property on the basis of Ext.P1 and to permit him to pay the actual loan amount barring additional interest in instalments.

2. I heard learned counsel for the petitioner and the learned counsel for the Bank also.

3. Learned counsel for the petitioner prays that petitioner may be permitted to pay off the entire amounts in easy intalments.

The writ petition is disposed of as follows:

The bank will serve a statement on the petitioner showing the exact amount of instalments payable by the petitoiner within a period of two weeks from today. Upon

receipt of the same, petitioner is permitted to pay off the entire amounts remaining to be paid with due interest in seven equal monthly instalments, first of which shall be payable on or before 16/07/2007. Petitioner is to pay the succeeding instalments on or before the 16th of every succeeding months. If the petitioner does not pay any of the instalments as aforesaid, it is open to the respondent bank to proceed against the petitioner in accordance with law. If the petitioner continues to pay the instalments, proceedings will not be enforced against him.

(K.M.JOSEPH, JUDGE)

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